

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CIMARRON ROAD LLC,

Plaintiff(s),

v.

GENSLER ARCHITECTURE, DESIGN &
 PLANNING, P.C.,

Defendant(s).

Case No. 2:21-cv-01158-APG-NJK

Order

[Docket Nos. 31, 32]

Pending before the Court is Plaintiff's motion for protective order, brought on an emergency basis. Docket No. 31; *see also* Docket No. 32 (request to shorten time). The gist of the motion is that the parties cannot agree on the terms of a stipulated protective order. "Counsel should strive to be cooperative, practical, and sensible." *Cardoza v. Bloomin' Brands*, 141 F. Supp. 3d 1137, 1145 (D. Nev. 2015). Crafting a stipulated protective order is a routine endeavor that should almost always be uncontroversial.¹ The Court is not persuaded that the parties are truly unable—through sensible and cooperative dialogue—to come to an agreement on a stipulated protective order.

Accordingly, the motion for protective order (Docket No. 31) is **DENIED** without prejudice. Counsel must promptly confer on the terms of a stipulated protective order. The Court expects the parties to come to an agreement and file a stipulated protective order by September 10, 2021. To the extent counsel cannot come to an agreement, a renewed motion must be filed by September 10, 2021. To be clear, however, the Court sees no reason why motion practice should be necessary. To the extent motion practice is pursued, **the losing attorney(s) should anticipate**

¹ Indeed, it is not uncommon for judges within the Ninth Circuit to post standard stipulated protective orders to establish the general terms for an order in any particular case. *See, e.g.*, <https://www.cacd.uscourts.gov/sites/default/files/documents/PLA/AD/Stipulated%20Protective%20Order.pdf> (Abrams, J.).

1 that the Court will award fees to the prevailing side. *See* Fed. R. Civ. P. 26(c)(3); *see also* Fed.
2 R. Civ. P. 37(a)(5) (authorizing an award of fees from attorneys advising conduct).

3 The request to shorten time (Docket No. 32) is **DENIED** as moot.

4 IT IS SO ORDERED.

5 Dated: September 9, 2021

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Nancy J. Koppe
United States Magistrate Judge